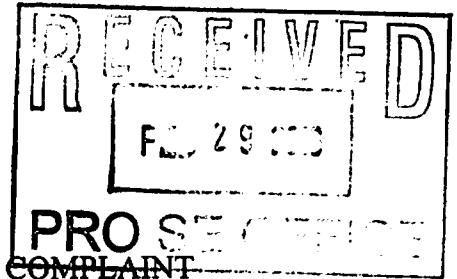


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK



CLINTON JAMES
Plaintiff,

CIVIL RIGHTS COMPLAINT
42 U.S.C. § 1983

JURY TRIAL DEMANDED

-against-

CITY OF NEW YORK, NEW YORK CITY
POLICE DEPARTMENT, DET. JOHN
FAHIM (shield#5214), RET. DET. DENNIS
MAIRA (shield 6698), DET. ANTHONY RICCI
(shield#3652), DET. LOUIS TORINO (shield#
2325), SGT. IGNAZIO CONCA (shiled#906),
DET. JASON FILORAMO (shield#3881), DET.
JONMICHAEL RAGGI (shiled#3629), DET.
RAYMOND WITTICK (shiled#710), and P.O.
STEVEN SOUFFRIN (shield#15876)

CV 16

1077-1

AMON, CH.J.

SCANLON, M.J.

I. Parties:

A. Name of Plaintiff: Clinton James, Incarcerated at Brooklyn Detention Center, 275

B. Atlantic Ave, Brooklyn, NY 11201.

Prisoner ID Number: Book & Case 141-13-03425

C. Defendants:

Defendant No. 1	City of New York 1 Centre Street Room 1225 New York, NY 10007
Defendant No. 2	New York City Police Department 1 Police Plaza New York, NY 10039
Defendant No. 3	Det. John Fahim (shield#5214) OCCB 1 Police Plaza New York, NY 10039

Defendant No. 4	Ret. Det. Dennis Maira (shield#6698) 8 Becca Way Allentown, NJ 08501
Defendant No. 5	Det. Anthony Ricci (shield#3652) OCCB 1 Police Plaza New York, NY 10039
Defendant No. 6	Det. Louis Torino (shield#2325) OCCB 1 Police Plaza New York, NY 10039
Defendant No. 7	Sgt. Ignazio Conca (Shield#906) OCCB 1 Police Plaza New York, NY 10039
Defendant No. 8	Det. Jason Filoramo (shield#3881) OCCB 1 Police Plaza New York, NY 10039
Defendant No. 9	Det. Jonmichael Raggi OCCB 1 Police Plaza New York, NY 10039
Defendant No. 10	Det. Raymond Wittick Narcotics Division 1 Police Plaza New York, NY 10039
Defendant No. 11	P.O. Steven Souffrin 76 th Precinct 191 Union Street Brooklyn, NY 11231

II. Statement of Claim

Where did the events giving rise to your claims occur? Staten Island, NY.

When did the events happen? Approximately from December 2012 through May 2013,
and approximately March 9, 2013 between 12:00PM and 3:00PM

Facts: Detectives Louis Torino and Raymond Wittick violated my civil rights by illegally tapping my telephones and following me and stopping me. On March 9, 2013, at the intersection of Manor Road and North Gannon Avenue, Dennis Maira assaulted me by punching me and hitting me in the face with his elbow. Seconds later, Det. John Fahim shot me multiple times. Detectives Ricci and Filoramo, and P.O. Souffrin were present during the assault and shooting. Sgt. Conca was their supervisor and failed in his duties. On Quinlan Avenue, north of North Gannon Avenue, Dennis Maira, Jason Filoramo, John Fahim, and Anthony Ricci tackled me and struck me repeatedly with their fists and feet while I laid on the ground with my bullet wounds. All of the named defendants lied about the incident and brought false charges against me to cover up the bad shooting. In May 2013, Det. Louis Torino took me out of jail at 18 Richmond Terrace, Staten Island, and he brought me to the 120 Precinct where he proceeded to punch and kick me in the abdomen, where I had a colostomy bag connected to my intestines because of the gunshot wounds.

IIA. Injuries. I suffered extreme pain from three gunshot wounds to my abdomen, requiring emergency surgery. Another bullet hit a cellphone in my front pocket causing severe pain and bruising deep in my right thigh. The doctors had to remove some of my intestines and for sixteen months I defecated through a hole in my abdomen. I got a severe infection from the shooting and required two more surgeries to drain the wounds. I had another surgery to reverse the colostomy, and that surgery was incredibly painful because they could not completely repair the wall of my stomach. I still feel pain in my stomach area every day, and I still need another surgery to try to fix me. My body is covered in scars. I have been depressed and fearful for my safety since the shooting and have been receiving psychiatric treatment during the past three years I've been in jail.

III. Relief. State what relief you are seeking if you prevail on your complaint. I demand five million (\$5,000,000.00) dollars for my lifetime of pain and suffering.

I declare under penalty of perjury that on 2-24-2016 I delivered this complaint to prison authorities at Brooklyn Detention Center to be mailed to the United States District Court for the Eastern District of New York.

I declare under penalty of Perjury that the foregoing is true and correct.

Dated: 2-²⁴~~25~~-2016

Clinton James

Signature of Plaintiff
Brooklyn Detention Center
275 Atlantic Avenue
Brooklyn, NY 11201

141-13-03425
Prisoner ID#

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Clinton James

Plaintiff/Petitioner

City of New York, New York City Police Dept. et al

Defendant/Respondent

Civil Action No.

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS (Short Form)

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

In support of this application, I answer the following questions under penalty of perjury:

1. *If incarcerated.* I am being held at: Brooklyn Detention Center, 275 Atlantic Ave, BK, NY 11201
If employed there, or have an account in the institution, I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months.

2. *If not incarcerated.* If I am employed, my employer's name and address are:

My gross pay or wages are: \$ _____, and my take-home pay or wages are: \$ _____ per
(specify pay period) _____.

3. *Other Income.* In the past 12 months, I have received income from the following sources (check all that apply):

- | | | |
|--|---|--|
| (a) Business, profession, or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (b) Rent payments, interest, or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (c) Pension, annuity, or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (d) Disability, or worker's compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (e) Gifts, or inheritances | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (f) Any other sources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

My family put about \$700 into my commissary over 12 months. I expect to get about \$50 per month.

4. Amount of money that I have in cash or in a checking or savings account: \$ 0.

5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value that I own, including any item of value held in someone else's name *(describe the property and its approximate value)*:

0

6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses *(describe and provide the amount of the monthly expense)*:

0

7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each person, and how much I contribute to their support:

0

8. Any debts or financial obligations *(describe the amounts owed and to whom they are payable)*:

0

Declaration: I declare under penalty of perjury that the above information is true and understand that a false statement may result in a dismissal of my claims.

Date: 2-23-2016

Clinton James
Applicant's signature
Clinton James
Printed name